IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11125 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

PRADUMAN @ MAMA RANCHHODLAL PATEL

Versus

STATE OF GUJARAT

Appearance:

MR HR PRAJAPATI for Petitioner

MR SAMIR DAVE, AGP for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 07/02/2001

ORAL JUDGEMENT

#. The learned counsel for the peitioner submits that this matter is squarely covered by decision of thsi court given in special civil application No.10798/2000 decided on 7.2.01. This position is not controverted by learned cousnel for the respondents. The present petitioner is a

co-detenue, meaning tehreby, he is the co-accused in the same complaint in which the petitioner of special civil application No.10798/2000 was released.

#. As a result of this potision, this petition succeeds and the same is allowed and the order dated 19.9.2000 passed by the Police Commissioner, Ahmedabad City, Ahmedabad, detaining the petitioner as a `dangerous person' is quashed and set aside and the petitioner Praduman @ Mama Ranchhodlal Patel, detenu, at present detained at Junagadh Jail, Junagadh, be set at liberty forthwith if he is not required in any other case. Rule is made absolute. The respondent-State of Gujarat is directed to pay Rs.4,000/as costs of this petition to the petitioner as what this amount has been paid by petitioner to his counsel and the learned counsel admits that this amount has been paid to him. The Chief Secretary, Government of Gujarat, is directed to hold inquiry in the matter and whosoever is found responsible in not filing reply to the special civil application, this amount of cost has to be recovered from that officer. Compliance of this order to be reported to this court.

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(sunil)